

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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|---------------------------------|---|--------------------------------|
| WILLIAM DAYSON CASRELL, et al., | : | |
| | : | Civil Action No. 14-2047 (JAP) |
| Plaintiff, | : | |
| | : | |
| v. | : | MEMORANDUM AND ORDER |
| | : | |
| SGT. REESE, et al., | : | |
| | : | |
| Defendants. | : | |
| | : | |

This matter is before the Court on Plaintiff's application to file the Second Amended Complaint and proceed *in forma pauperis* without prepayment of fees pursuant to 28 U.S.C. § 1915. The Court has screened the Complaint for dismissal pursuant to 28 U.S.C. § 1915 and 1915A and finds that dismissal of the Complaint is not warranted at this time; therefore

IT IS on this 15th day of September, 2014,

ORDERED that the Clerk of the Court shall reopen the file in this matter; and it is further

ORDERED that Plaintiff may proceed *in forma pauperis* without prepayment of the \$350.00 filing fee pursuant to 28 U.S.C. § 1915(a) and (b); and it is further

ORDERED that the Clerk of the Court is directed to file the Second Amended Complaint in the above-captioned action; and it is further

ORDERED that the Clerk of the Court shall serve a copy of this Order by regular mail on the Attorney General for the State of New Jersey and on the administrator of Monmouth County Correctional Facility; and it is further

ORDERED that the Clerk of the Court shall issue summons, and the United States Marshal

shall serve a copy of the complaint, summons, and this Order upon Defendants pursuant to 28 U.S.C. § 1915(d), with all costs of service advanced by the United States; and it is further

ORDERED that Defendants shall file and serve a responsive pleading within the time specified in Federal Rule of Civil Procedure 12, pursuant to 42 U.S.C. § 1997e(g)(2); and it is further

ORDERED that Plaintiff is assessed a filing fee of \$350.00 which shall be deducted from Plaintiff's institutional account pursuant to 28 U.S.C. § 1915(b)(2) in the manner set forth below, regardless of the outcome of the litigation; and it is further

ORDERED that, pursuant to 28 U.S.C. § 1915(b)(2), until the \$350.00 fee is paid, each month that the amount in Plaintiff's institutional account exceeds \$10.00, the agency having custody of Plaintiff shall assess, deduct from his institutional account, and forward to the Clerk payments equal to 20% of the preceding month's income credited to Plaintiff's institutional account, with each payment referencing the civil docket number of this action.

/s/ Joel A. Pisano
JOEL A. PISANO, U.S.D.J.